

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

PERFECT 10, INC.,

Plaintiff,

vs.

YANDEX N.V.,

Defendant.

CASE NO. CV-12-1521-WHA

**~~PROPOSED~~ ORDER GRANTING  
SPECIALLY-APPEARING DEFENDANT  
YANDEX N.V.'S MOTION FOR  
PROTECTIVE ORDER**

This matter is before the Court on specially-appearing defendant Yandex N.V.'s motion for a protective order precluding Plaintiff Perfect 10, Inc. from deposing Arkady Volozh, Chief Executive Officer of Yandex N.V. and Yandex LLC, on the grounds that Mr. Volozh is an "apex" executive and that Perfect 10 has failed to satisfy the relevant legal standard to depose him. (Dkt. no. 34.) The parties were unable to resolve this dispute via meet and confer, and the Court heard oral argument on August 8, 2012. (Dkt. no. 41.) Having considered the parties' written and oral arguments, and for good cause shown, the Court hereby orders as follows:

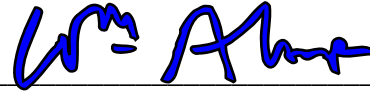
1. Yandex N.V.'s motion for a protective order precluding the deposition of Arkady Volozh is GRANTED as follows: Perfect 10 may not depose Arkady Volozh. Instead, Perfect 10 may depose two alternative witnesses, John Dowdy and Charles Ryan, during the week of August 13, 2012. The Court's Order in this regard is without prejudice to Perfect 10's ability to renew its request for Mr. Volozh's deposition, should Mr. Dowdy and Mr. Ryan prove not knowledgeable regarding the ~~narrow~~ jurisdictional discovery subjects identified in the Court's June 11, 2012 order. (Dkt. No. 24).

2. In advance of any trip by Mr. Volozh to the United States or any of its territories during the pendency of this case, Yandex N.V. shall file a notice with the Court and advise Perfect 10 of such trip.

1           3.       The parties' deadline to submit supplemental briefs on Yandex N.V.'s motion to  
2 dismiss for lack of personal jurisdiction is extended to August 23, 2012.

3  
4           IT IS SO ORDERED.

5  
6 Dated: August 20, 2012



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WILLIAM H. ALSUP  
UNITED STATES DISTRICT JUDGE